

**DEPARTMENT OF ENVIRONMENTAL QUALITY**  
**Environmental Assessment**

**(Water Protection Bureau)**

**Name of Project:** Sunlight Business Park

**Type of Project:** Discharge residential strength wastewater to a subsurface drainfield under the Montana Ground Water Pollution Control System permit program

**Location of Project:** The site is situated in the southeast  $\frac{1}{4}$  of Section 31, T 02N, R 03W or North 45° 52' 43.8" latitude and West 112° 0' 48.2" longitude.

**City/Town:** Whitehall

**County:** Jefferson

**Description of Project:** The proposed sunlight Business Park (SBP) will consist primarily of commercial buildings. The SBP wastewater treatment system reported an estimated a maximum discharged wastewater volume of approximately 31,800 gallons per day (gpd), from 12 commercial lots. Each commercial lot will have its own dual compartment septic tank and Orenco Biotube effluent filter. Wastewater from each septic tank will be conveyed to a dose tank with an effluent pump. Wastewater will then be routed via sewer main to a 25,000 gallon recirculation tank. At this point wastewater will be treated in Advantex AX100 treatment pods. From the Advantex treatment pods, effluent is directed to a 10,000 gallon dose tank and ultimately dosed to 2 multi zoned drainfields.

The wastewater treatment system will have the capacity to discharge a daily maximum of 31,800 gpd (design capacity) to the groundwater. Therefore the permit is based on a design capacity of 31,800 gpd. The proposed wastewater treatment facility will discharge via two multi-zoned drainfields. Each drainfield will have two zones. The drainfields will be deemed outfalls 001a and 001b. The wastewater treatment system will discharge every month of the year.

**Agency Action and Applicable Regulations:** The proposed action is to issue an individual MGWPCS discharge permit to a residential strength wastewater treatment operation and specify effluent limitations, monitoring and discharge reporting requirements. The Montana Water Quality Act 75-5-101 *et seq.* Montana Ground Water Pollution Control System Administrative Rules of Montana (ARM) 17.30.10 *et seq.* and Montana Pollutant Discharge Elimination System ARM 17.30.12 *et seq.*

**Summary of Issues:** The purpose of this action is to regulate the discharges of pollutants to state waters from the regulated facility. Issuance of an individual permit will require the facility to implement design and management practices to prevent pollution and degradation of groundwater. The action will have benefits to water quality.

## Affected Environment & Impacts of the Proposed Project:

Y = Impacts may occur (explain under Potential Impacts). *Include frequency, duration (long or short term), magnitude, and context for any significant impacts identified. Reference other permit analyses when appropriate (ex: statement of basis). Address significant impacts related to substantive issues and concerns. Identify reasonable feasible mitigation measures (before and after) where significant impacts cannot be avoided and note any irreversible or irretrievable impacts. Include background information on affected environment if necessary to discussion.*

N = Not present or No Impact will likely occur. *Use negative declarations where appropriate (wetlands, T&E, Cultural Resources).*

IMPACTS ON THE PHYSICAL ENVIRONMENT	
RESOURCE	[Y/N] POTENTIAL IMPACTS AND MITIGATION MEASURES
1. GEOLOGY AND SOIL QUALITY, STABILITY AND MOISTURE: Are soils present which are fragile, erosive, susceptible to compaction, or unstable? Are there unusual or unstable geologic features? Are there special reclamation considerations?	[N] Discharge will increase moisture in the vadose zone. There are no limiting layers present in the soil profile that would impede continued treatment of effluent discharged from the drainfield. Well logs indicate the first limiting layers occurring at a depth of approximately 75 feet.
2. WATER QUALITY, QUANTITY AND DISTRIBUTION: Are important surface or groundwater resources present? Is there potential for violation of ambient water quality standards, drinking water maximum contaminant levels, or degradation of water quality?	[N] Department developed numeric permit limits ensure that water quality standards will be met at the end of the mixing zone and there will be no water quality or nondegradation significance limit exceedances.
3. AIR QUALITY: Will pollutants or particulate be produced? Is the project influenced by air quality regulations or zones (Class I airshed)?	[N] No significant impacts have been determined. Some dust may result during construction.
4. VEGETATION COVER, QUANTITY AND QUALITY: Will vegetative communities be significantly impacted? Are any rare plants or cover types present?	[N] No significant impacts have been identified. Disturbed areas are to be covered with native soils and reseeded, without reseeding the native grasses may have a difficult time re-establishing themselves.
5. TERRESTRIAL, AVIAN AND AQUATIC LIFE AND HABITATS: Is there substantial use of the area by important wildlife, birds or fish?	[N] No significant impacts have been identified. The closest surface water is the Jefferson slough approximately 2,000 feet to the South. The closest surface water capable of supporting significant amounts of wildlife, fish and bird is the Jefferson River approximately 0.75 miles down gradient of the discharge location.
6. UNIQUE, ENDANGERED, FRAGILE OR	[N] No significant impacts have been identified from the

IMPACTS ON THE PHYSICAL ENVIRONMENT	
LIMITED ENVIRONMENTAL RESOURCES: Are any federally listed threatened or endangered species or identified habitat present? Any wetlands? Species of special concern?	EA, however the Montana National Heritage Program reported that <i>Athene cunicularia</i> , <i>Lanius ludovicianus</i> and <i>canis lupisdo</i> exist within the designated search local.
7. HISTORICAL AND ARCHAEOLOGICAL SITES: Are any historical, archaeological or paleontological resources present?	[N] No significant impacts have been identified from the EA. The Montana State Historic Preservation Office reported one previously recorded site within the designated search locales. Site 24JF1775 is a mammal fossil located in the SE ¼ of Section 31. They recommend a cultural resource inventory was unwarranted.
8. AESTHETICS: Is the project on a prominent topographic feature? Will it be visible from populated or scenic areas? Will there be excessive noise or light?	[N] No significant impacts have been identified.
9. DEMANDS ON ENVIRONMENTAL RESOURCES OF LAND, WATER, AIR OR ENERGY: Will the project use resources that are limited in the area? Are there other activities nearby that will affect the project? Will new or upgraded powerline or other energy source be needed)	[N] No significant impacts have been identified from the EA. Hydraulic conductivity values indicate a rapid rate of ground water movement (approximately 12 ft/day). Ground water levels range from approximately 60 to 90 feet below the surface. Potential for ground water depletion is minimal.
10. IMPACTS ON OTHER ENVIRONMENTAL RESOURCES: Are there other activities nearby that will affect the project?	[N] No significant impacts have been identified from the EA.

IMPACTS ON THE HUMAN ENVIRONMENT	
11. HUMAN HEALTH AND SAFETY: Will this project add to health and safety risks in the area?	[N] No significant impacts have been identified. There is potential for health and safety risks to arise during construction. With added vehicle traffic, there is potential for increased motor vehicle accidents.
12. INDUSTRIAL, COMMERCIAL AND AGRICULTURAL ACTIVITIES AND PRODUCTION: Will the project add to or alter these activities?	[N] No significant impacts have been identified. As this is a new wastewater treatment system there will be a 100 % increase in activity at this facility. Commercial activities are planned at the proposed business park.
13. QUANTITY AND DISTRIBUTION OF EMPLOYMENT: Will the project create, move or eliminate jobs? If so, estimated number.	[N] No significant impacts have been identified. The proposed business park will likely increase the number of jobs in the area. Job growth will be a result of construction and business.

<b>IMPACTS ON THE HUMAN ENVIRONMENT</b>	
14. LOCAL AND STATE TAX BASE AND TAX REVENUES: Will the project create or eliminate tax revenue?	[Y] The new businesses located in the business park will likely contribute to the local and state tax base
15. DEMAND FOR GOVERNMENT SERVICES: Will substantial traffic be added to existing roads? Will other services (fire protection, police, schools, etc.) be needed?	[N] No significant impacts have been identified from the EA. The facility is located off of a frontage road and the increased activity is likely to increase traffic on this road.
16. LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS: Are there State, County, City, USFS, BLM, Tribal, etc. zoning or management plans in effect?	[N] No significant impacts have been identified from the EA.
17. ACCESS TO AND QUALITY OF RECREATIONAL AND WILDERNESS ACTIVITIES: Are wilderness or recreational areas nearby or accessed through this tract? Is there recreational potential within the tract?	[N] No significant impacts have been identified from the EA. Accesses remain unaltered
18. DENSITY AND DISTRIBUTION OF POPULATION AND HOUSING: Will the project add to the population and require additional housing?	[Y] The wastewater treatment system is for the proposed Sunlight Business Park. As a result of this project the population could be expected to increase.
19. SOCIAL STRUCTURES AND MORES: Is some disruption of native or traditional lifestyles or communities possible?	[N] No significant impacts have been identified from the EA.
20. CULTURAL UNIQUENESS AND DIVERSITY: Will the action cause a shift in some unique quality of the area?	[N] No significant impacts have been identified from the EA.
21. OTHER APPROPRIATE SOCIAL AND ECONOMIC CIRCUMSTANCES:	[N] No significant impacts have been identified from the EA
22(a). PRIVATE PROPERTY IMPACTS: Are we regulating the use of private property under a regulatory statute adopted pursuant to the police power of the state? (Property management, grants of financial assistance, and the exercise of the power of eminent domain are not within this category.) If not, no further analysis is required.	[N] No significant impacts have been identified from the EA
22(b). PRIVATE PROPERTY IMPACTS: Is the agency proposing to deny the application or condition the approval in a way that restricts the use of the regulated person's private property? If not, no further analysis is required.	[N] No significant impacts have been identified from the EA
22(c). PRIVATE PROPERTY IMPACTS: If the answer to 21(b) is affirmative, does the agency have legal discretion to impose or not	[N] No significant impacts have been identified from the EA

IMPACTS ON THE HUMAN ENVIRONMENT	
impose the proposed restriction or discretion as to how the restriction will be imposed? If not, no further analysis is required. If so, the agency must determine if there are alternatives that would reduce, minimize or eliminate the restriction on the use of private property, and analyze such alternatives. The agency must disclose the potential costs of identified restrictions.	

23. **Description of and Impacts of other Alternatives Considered:**

A. No Action: Under the 'No Action' alternative the Department would not issue an individual ground water discharge permit under the Montana Ground Water Pollution Control System administrative rules. The proposed action will have environmental benefits compared to leaving the facility unpermitted.

B. Approval with modification: The Department has not identified any necessary modifications to grant approval.

24. **Summary of Magnitude and Significance of Potential Impacts:**

Impacts were assessed with the assumption that the permittee will comply with the terms and conditions of the permit. Violations of the permit could lead to significant adverse impacts to state waters. Violations of the permit are not an effect of the agency action, because the permit itself forbids such activities. However, the Department has taken steps to ensure that violations do not occur. The terms of the permit have been clarified and modified in response to comments from regulated parties, the public and other agencies. The Department provides assistance to applicants in understanding and implementing the requirements of the permit. The Department also conducts periodic inspections of permitted facilities, and identifies potential problems with design or management practices. If violations of the permit do occur, the Department will take appropriate action under the water quality act. Section 75-5-617, MCA. Enforcement sanctions for violations of the permit include injunctions, civil and administrative penalties, and cleanup orders.

25. **Cumulative Effects**: The issuance of this individual MGWPCS discharge permit would not have cumulative effects because the permit prohibits pollution and degradation of state waters.

26. **Preferred Action Alternative and Rationale**: The preferred action is to authorize Jefferson Local Development Corp under an individual MGWPCS Discharge Permit. This action is preferred because the permit program provides a regulatory mechanism for protecting and improving water quality by applying control technology to the source discharge of domestic wastes generated at the proposed wastewater treatment facility.

**Recommendation for Further Environmental Analysis:**

☐ EIS    ☐ More Detailed EA    ☒ No Further Analysis

**Rationale for Recommendation:**

27. Public Involvement: This draft EA will be posted on the Department web page: <http://www.deq.state.mt.us/ea.asp>. For copies of the draft EA or to submit comments, write or call the Montana Department of Environmental Quality c/o Dianne Beaman, P.O. Box 200901, Helena MT 59620-0901, telephone (406) 444-3080. Comments will be received for 30-days after the date of the signature below.

The Department maintains a list of persons who have expressed an interest in all environmental water quality related issues. The Department will send a copy of this document to all persons who have submitted their name, address, and telephone number to the Department for the purpose of being included on the water quality interested parties' mailing list.

28. Persons and agencies consulted in the preparation of this analysis:  
Damon Murdo, Cultural Records Manager, Historical Preservation Society  
Montana Bureau of Mines and Geology Web site  
Montana Fish and Wildlife Web page, animal species information  
Natural Resource Information System, Montana State Library

**EA Checklist Prepared By: Louis Volpe**

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Louis Volpe

(Name)

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December 15, 2008

Date

**EA Revisions and Corrections:** As a result of comments received during the 30-day public comment period

\_\_\_\_\_  
Louis Volpe

**Approved By:**

\_\_\_\_\_  
Jenny Chambers, Chief  
Water Protection Bureau

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Signature

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Date